

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JACOB SMITH,

Plaintiff,

v.

FIRSTENERGY CORP. AND  
FIRSTENERGY SERVICE CO.,

Defendants.

BRIAN HUDOCK AND CAMEO  
COUNTERTOPS, INC.,

Plaintiffs,

v.

FIRSTENERGY CORP., *et al.*,

Defendants.

JAMES BULDAS,

Plaintiff,

v.

FIRSTENERGY CORP., *et al.*,

Defendants.

Case Nos. 2:20-cv-03755, 03954, 03987

Judge Edmund A. Sargus

Magistrate Judge Kimberly A. Jolson

**DEFENDANT JAMES F. PEARSON'S OPPOSITION TO PLAINTIFFS' MOTION FOR  
CLASS CERTIFICATION**

Defendant James F. Pearson hereby respectfully submits this Opposition to Plaintiffs' Motion for Class Certification ("Motion") (Dkt. No. 62). In support of his Opposition, Mr. Pearson hereby adopts incorporation as fully set forth herein the Brief in Opposition to Plaintiffs' Motion for Class Certification filed by Defendants FirstEnergy Corporation, FirstEnergy Service Company, Steven E. Strah, and K. Jon Taylor (collectively, the "FirstEnergy Defendants' Opposition") (Dkt. No. 107). As fully set forth in the FirstEnergy Defendants' Opposition, Plaintiffs' Motion should be denied for two principal reasons. First, Plaintiffs have failed to satisfy Rule 23(a)'s commonality and typicality requirements. Second, Plaintiffs cannot satisfy the requirements of Rule 23(b)(3) and they have not demonstrated why certification would be appropriate under Rule 23(b)(2) and 23(b)(1)(A).

Accordingly, Mr. Pearson respectfully requests that this Court deny Plaintiffs' Motion for Class Certification.

Respectfully submitted,

/s/ Timothy D. Katsiff

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was filed electronically on December 14, 2021. Notice of this filing will be sent to all electronically registered parties through the Court's electronic filing system.

/s/ Timothy D. Katsiff

Timothy D. Katsiff (admitted *pro hac vice*)

*One of the Attorneys for Defendant James F.  
Pearson*